

FILED ELECTRONICALLY

PATENT APPLICATION

Docket No. 16497.28.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	Enrique Klein	)
		)
		)
Serial No.:	10/813,449	) Art Unit
		) 3734
Filed:	March 30, 2004	)
		)
Conf. No.:	7612	)
		)
For:	DEVICE AND METHOD FOR SUTURING	)
	TISSUE	)
		)
Examiner:	Katherine Marie Dowe	)
		)
Customer No.:	057360	)

RELATED CASES AND PROSECUTION CORRESPONDENCE THEREFROM

VIA eFILE IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is to inform the Examiner that the following applications are related in content to the above-identified patent application:

- |     |           |     |                |
|-----|-----------|-----|----------------|
| 1.  | 07/989611 | 14. | 10/033689      |
| 2.  | 08/148809 | 15. | 10/335065      |
| 3.  | 08/252124 | 16. | 10/737668      |
| 4.  | 08/259410 | 17. | 10/742406      |
| 5.  | 08/638076 | 18. | 11/389762      |
| 6.  | 08/824031 | 19. | 11/390937      |
| 7.  | 08/883246 | 20. | 11/391951      |
| 8.  | 09/057108 | 21. | PCT/US94/11922 |
| 9.  | 09/395901 | 22. | PCT/US98/05959 |
| 10. | 09/610099 | 23. | PCT/US00/25498 |
| 11. | 09/707746 | 24. | PCT/US01/27787 |
| 12. | 09/769109 | 25. | PCT/US04/37355 |
| 13. | 09/988541 |     |                |

Furthermore, to comply with the requirements of McKesson Information Solutions v. Bridge Medical, 487 F.3d 897 (Fed. Cir. 2007), Applicants have enclosed a list of applications and prosecution correspondence associated with those applications that may be related to the present application. The prosecution correspondence may include office actions, office action responses, notices of allowance, issue notifications, and/or prosecution correspondence presented in related case(s). However, no representation is made that any supplied prosecution correspondence may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103.

Pursuant to instruction from the Office of Patent Legal Administration (OPLA), copies of these documents are not provided as any Examiner has ready access to any and all prosecution correspondence. Although many of the supplied prosecution correspondence was previously provided in a prior Information Disclosure Statement, the table below identifies each piece of prosecution correspondence by document number, date, and document type for easy reference.

Office Actions, Notice of Allowance, Issue Notifications

	<u>Serial Number</u>	<u>Document</u>	<u>Mail Date</u>
1	07/989611	Office Action	5/12/1993
2	07/989611	Office Action	8/1/1994
3	07/989611	Notice of Allowance	11/3/1994
4	07/989611	Issue Notification	4/17/1995
5	08/148809	Office Action	9/16/1994
6	08/148809	Office Action	5/30/1995
7	08/148809	Office Action	10/26/1995
8	08/148809	Notice of Allowance	12/15/1995
9	08/148809	Issue Notification	5/13/1996

	<u>Serial Number</u>	<u>Document</u>	<u>Mail Date</u>
10	08/252124	Office Action	6/5/1995
11	08/252124	Office Action	1/5/1996
12	08/252124	Notice of Allowance	5/22/1996
13	08/252124	Issue Notification	2/18/1997
14	08/259410	Restriction Requirement	2/2/1995
15	08/259410	Office Action	6/1/1995
16	08/259410	Notice of Allowance	2/6/1998
17	08/259410	Issue Notification	6/8/1998
18	08/638076	Office Action	1/21/1997
19	08/638076	Notice of Allowance	10/17/1997
20	08/638076	Issue Notification	7/7/1998
21	08/824031	Restriction Requirement	3/16/1998
22	08/824031	Office Action	9/14/1998
23	08/824031	Office Action	4/13/1999
24	08/824031	Notice of Allowance	7/15/1999
25	08/824031	Issue Notification	3/2/2000
26	08/883246	Office Action	7/23/1998
27	08/883246	Restriction Requirement	4/12/1999
28	08/883246	Office Action	10/13/1999
29	08/883246	Office Action	10/23/2000

	<u>Serial Number</u>	<u>Document</u>	<u>Mail Date</u>
30	08/883246	Office Action	7/11/2001
31	08/883246	Notice of Allowance	9/11/2001
32	08/883246	Issue Notification	2/21/2002
33	09/057108	Office Action	7/10/2000
34	09/057108	Notice of Allowance	10/25/2000
35	09/057108	Issue Notification	3/9/2001
36	09/395901	Restriction Requirement	6/27/2000
37	09/395901	Office Action	11/6/2000
38	09/395901	Notice of Allowance	4/20/2001
39	09/395901	Notice of Allowance	9/10/2001
40	09/395901	Issue Notification	3/1/2002
41	09/610099	Office Action	7/11/2002
42	09/610099	Notice of Allowance	12/24/2002
43	09/610099	Issue Notification	4/17/2003
44	09/707746	Office Action	2/16/2005
45	09/707746	Office Action	7/7/2005
46	09/707746	Notice of Allowance	11/15/2005
47	09/707746	Issue Notification	3/29/2006
48	09/769109	Office Action	10/23/2001
49	09/769109	Office Action	6/17/2002

	<u>Serial Number</u>	<u>Document</u>	<u>Mail Date</u>
50	09/769109	Notice of Allowance	9/9/2002
51	09/769109	Issue Notification	1/23/2003
52	09/988541	Office Action	3/17/2004
53	09/988541	Office Action	2/28/2005
54	09/988541	Office Action	5/25/2005
55	09/988541	Office Action	8/24/2005
56	09/988541	Office Action	11/8/2005
57	09/988541	Notice of Allowance	12/13/2005
58	09/988541	Issue Notification	5/3/2006
59	10/033689	Office Action	9/30/2003
60	10/335065	Office Action	3/17/2005
61	10/335065	Office Action	6/10/2005
62	10/335065	Notice of Allowance	11/17/2005
63	10/335065	Issue Notification	3/29/2006
64	10/737668	Office Action	11/2/2005
65	10/737668	Office Action	2/16/2006
66	10/737668	Office Action	10/19/2006
67	10/737668	Office Action	6/7/2007
68	10/737668	Office Action	11/28/2007
69	10/742406	Office Action	3/23/2007

	<u>Serial Number</u>	<u>Document</u>	<u>Mail Date</u>
70	10/742406	Notice of Allowance	9/10/2007
71	10/742406	Notice of Allowance	1/11/2008
72	11/389762	Notice of Allowance	9/20/2007
73	11/389762	Notice of Allowance	11/23/2007
74	11/390937	Office Action	9/7/2007

Because, according to the OPLA, the supplied prosecution correspondence will not be cited on the cover of any future granted patent, no Examiner's initials line has been provided to indicate that each document has been reviewed. However, as the Examiner has a duty to consider all materials within the application file, the supplied prosecution correspondence should be reviewed and considered.

Furthermore, because the supplied related cases and prosecution correspondence therefrom is not an information disclosure statement under 37 CFR 1.97, but rather is supplied in accordance with the direction of the Office of Patent Legal Administration, Applicants respectfully submit that no statements under 37 CFR 1.97(e) are necessary and further submit that no fee is required for this document. However, in the event that a fee is required, please charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 17th day of March, 2008.

Respectfully submitted,

/Paul N. Taylor, Reg.# 57271/  
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 Attorney for Applicant  
 Customer No. 057360